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9 *Attorneys for Defendant Continental Casualty Company, on*
behalf of itself and "CNA Insurance Company, Inc.," which is
10 *not a legal entity*

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 THE FOCAL POINT, LLC, a California limited
liability company; ANDREW SPINGLER;
15 LINDA SPINGLER; G. CHRISTOPHER
RITTER; and SCOTT HILTON,

16 Plaintiffs,

17 v.

18 CNA INSURANCE COMPANY, INC.;
19 CONTINENTAL CASUALTY COMPANY,

20 Defendants.

No. C07-05764 MHP

**[PROPOSED] ORDER DENYING
PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Date: April 28, 2008
Time: 2:00 p.m.
Dept. 15

1 Plaintiffs The Focal Point, LLC's ("Focal Point"), Andrew Spingler, Linda A. Spingler,
2 G. Christopher Ritter, and Scott Hilton (collectively, "Plaintiffs") Motion for Partial Summary
3 Judgment came on regularly for hearing before this Court on April 28, 2008, at 2:00 p.m., in
4 Department 15.

5 After full consideration of the moving papers and the opposing papers, and the authorities
6 submitted by counsel, as well as counsels' oral argument, IT IS THEREFORE ORDERED that
7 Focal Point's Motion for Partial Summary Judgment is hereby DENIED.

8 ENTERED this ____ day of _____, 2008.

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11 JUDGE OF THE UNITED STATES DISTRICT
12 COURT

13 Submitted by,

14 ROSS, DIXON & BELL, LLP

15 /s/ Richard A. Simpson
16 Monique M. Fuentes
17 Richard A. Simpson
18 *Attorneys for Defendant*
19 Continental Casualty Company
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